

EXHIBIT 1

August 07, 2025

1 ATTORNEY PREMO-HOPKINS: Ms. Nilles is
2 here and ready to answer any and all of your
3 questions about the B.L. case and the documents
4 that were produced. Obviously I would object to
5 your characterization of anything as a document
6 dump. You are welcome to ask whatever questions
7 you want about Lizeth Rosas and her account and how
8 it may be linked.

9 Ms. Nilles is prepared to answer those
10 questions today, and so we can switch to the other
11 four cases now. That's fine.

12 ATTORNEY PETERS: Let's shift to the
13 matter of Jaylin Dean versus Uber.

14 VIDEO TECHNICIAN: Is that the new time
15 you want me to run?

16 ATTORNEY PETERS: Yes, please. MJ,
17 would you start the clock.

18 VIDEO TECHNICIAN: I got you.

19 ATTORNEY PETERS: Several clocks.

20 BY ATTORNEY PETERS:

21 Q. Do you understand, Ms. Nilles, that on November 15,
22 2023, Ms. Dean alleges that she was raped by her
23 Uber driver during an Uber trip and that Uber
24 driver is Hassan Turay?

25 A. Yes, I understand that's what is alleged.

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1 Q. You are here to speak on Uber's behalf about its
2 screening and onboarding of Mr. Turay; is that
3 right?

4 A. Yes.

5 Q. Mr. Turay has two different Uber accounts, right?

6 A. Yes.

7 Q. They are known duplicate accounts to Uber, right?

8 A. Yes. This would fall into what we consider good
9 dupes or, like, allowed dupes.

10 Q. So Uber knew about them and it was okay with them
11 remaining dupes, right?

12 A. We have policies that allow for multiple accounts
13 that are separate flows and once we have linked
14 them. So one is an Eats account and one is a
15 peer-to-peer account.

16 Q. All right. Just to my question --

17 A. Yes, we knew about them.

18 Q. Uber knew about them and in this instance these
19 were duplicate accounts that were okay with Uber;
20 is that right?

21 A. Yes.

22 Q. Mr. Turay first applied to drive for Uber on
23 July 24, 2014; is that right?

24 A. I have got my paper copies, so I'm just going to
25 reference these to make sure we have the dates

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1 correct.

2 ATTORNEY PETERS: Vince, if we could go
3 to Tab 4B, please. That will be Exhibit 1853.

4 MARKED FOR IDENTIFICATION:

5 DEPOSITION EXHIBIT 1853

6 Metadata

7 2:14 p.m.

8 MARKED FOR IDENTIFICATION:

9 DEPOSITION EXHIBIT 1854

10 Turay Status and Flow

11 2:15 p.m.

12 BY ATTORNEY PETERS:

13 Q. Actually, both tab 4A and 4B will be together 1853.
14 Tab 4A has the metadata sheet. And then let's stay
15 on this one, though, which is 4B, the spreadsheet
16 itself.

17 Can you confirm, please, Ms. Nilles,
18 this is a copy of the status and flow logs for the
19 Hassan Turay account ending in AD49?

20 A. Yes.

21 Q. That is the first of two accounts that was created,
22 right?

23 A. Yes.

24 Q. That account was created in -- on July 24, 2014,
25 right?

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1 A. Yes.

2 Q. That's when he applied to drive for Uber as part of
3 peer-to-peer, right?

4 A. Yes.

5 Q. On July 25, 2014, if we zoom in on the status for
6 that second line, it says "pending interview."

7 Do you see that?

8 A. Yes.

9 Q. What does that mean?

10 A. I don't know.

11 Q. So you could speak on behalf of Uber, try to find
12 out what that meant at that time?

13 A. Yes. And I wasn't able to find anybody who knew
14 what that meant since it was so old.

15 Q. In your research, did you learn that Uber did
16 conduct interviews of drivers back in 2014 as a
17 matter of onboarding?

18 A. I did not learn that. I asked a bunch of people in
19 my team what that might have meant and no one was
20 sure. I don't know what it means.

21 Q. Did you learn the opposite, it was not customary
22 for Uber to conduct interviews in 2014 or were you
23 unable to learn one way or the other?

24 ATTORNEY PREMO-HOPKINS: Object to form.

25 A. I don't think it was customary to conduct

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1 interviews, but I didn't find evidence that we were
2 conducting interviews, I would say.

3 BY ATTORNEY PETERS:

4 Q. Did any find any policies or documents that
5 describe one way or the other whether in 2014 it
6 was standard protocol to interview drivers during
7 onboarding?

8 A. I did not find anything like that.

9 Q. One way or the other, right?

10 A. That's right.

11 Q. He was rejected from the peer-to-peer service on
12 August 18, 2014, right?

13 A. Yes.

14 Q. In your notes for your depo aid version of the flow
15 sheet, you say that that was due to insufficient
16 driving history; is that right?

17 A. Yes, that's right.

18 Q. What did you base that on?

19 A. So there was a hiring report done at that time in
20 2014 who we -- I don't think the company exists
21 anymore. No. Sorry. We don't have a contract
22 with them anymore. When we reached out to them,
23 they said because of privacy rules, they cannot
24 provide us any information nor did they have it
25 anymore.

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1 But there was an account note,
2 somebody -- Investigation Workbench there is a
3 section for notes. I haven't really seen it used
4 before. But I did see that there was an account
5 note somebody had written. I don't know who, maybe
6 an agent. Failed background check, unable to
7 confirm one-year licensing duration.

8 Q. That was not -- that document was not produced to
9 us, I believe. Are you saying that is -- is that
10 something you are able to look at yourself using
11 the Investigation Workbench when you go into the
12 system?

13 A. Technically, my team looked at it for me. This is
14 that note. But yes, I believe so. He pulled it up
15 while I was on a call. I think I did see it. But
16 I can't quite remember. But yes, you should be
17 able to see it.

18 Q. How do you know that that -- what did you say?

19 A. Go ahead.

20 Q. How do you know that that note refers to the
21 August 18th, 2014, rejection and not the subsequent
22 rejection, June 17th, 2018?

23 A. Because it says the account note was made on
24 August 18, 2014. It's in my 30(b)(6) notes. Can
25 you see that? I put the exact account note in

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1 there.

2 Q. I saw that for a different -- one of these cases,
3 but not for this one, I don't think. Give me a
4 second.

5 What you produced was the actual motor
6 vehicle record check, not, like, a screenshot of
7 Workbench, but the report from whoever, HireEase --
8 actually, it's Checkr, right?

9 A. That's a different date. What I'm referring to is
10 the status and flow with my note on it. I just
11 added what the account note says. So the status
12 and flow document for account AD49 with my notes on
13 it says this.

14 Q. Let's go to Tab 151.

15 A. Yes. Here it is.

16 ATTORNEY PETERS: Zoom in just a little
17 bit, please, Vince, especially, like, the top
18 portion.

19 BY ATTORNEY PETERS:

20 Q. Can you confirm that this is your annotated version
21 of the status and flow log for the tour A account
22 that was set up in 2014?

23 A. Yes.

24 Q. When you said that you gave the quote, are you
25 referring to that far right-hand column where it

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1 says account note from August 18th, 2014, that
2 says: "Failed background one check, unable to
3 confirm one-year licensing duration"?

4 A. Yes.

5 ATTORNEY PETERS: Counsel, we don't have
6 that document, the underlying source for that.

7 A. I don't think -- well, never mind.

8 ATTORNEY PREMO-HOPKINS: You have the
9 contents of it. Ms. Nilles has testified to it.
10 To the extent you are making a request for another
11 document, you can make it.

12 ATTORNEY PETERS: We requested all of
13 the documents of all types consistent with the ESI
14 order which show the screening -- the reasons for
15 rejection, the screening process, the
16 communications, the comms with Checkr, the comms
17 with HireEase, and whatever were relied on, and we
18 requested for these depositions all reliance
19 materials that the witness is using to be able to
20 answer the questions to the extent they're not
21 included in that, so it's not a new request at all,
22 but something that, you know --

23 A. I think that is easily solvable. It's not a
24 document per se. There was an account note in his
25 Investigation Workbench. I'm sure we can get that

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1 for you. It's just a little tab. It says account
2 note from August 18th, and this is what it says.
3 I'm sure we can find that.

4 BY ATTORNEY PETERS:

5 Q. Just with respect to the date August 18th, 2014, is
6 that the creation date of that note or is that a
7 date provided in the note or what makes you think
8 that's the date that goes with this note?

9 A. I believe that was the creation date of the note.

10 Q. What happened to the pending interview?

11 A. What do you mean?

12 Q. Like, did the interview -- did an interview take
13 place of Mr. Turay?

14 A. I already told you I don't know what that line
15 means.

16 Q. Is there a place where Uber keeps track of whether
17 it actually interviewed a person?

18 A. I have never seen a document that says we do
19 interview anyone. So I'm confused about that entry
20 and wasn't able to find anybody to explain it to
21 me. I don't think he was interviewed.

22 Q. When you say you don't think he was interviewed, is
23 there anything you are basing that on other than, I
24 guess, guessing?

25 ATTORNEY PREMO-HOPKINS: Object to form.

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1 A. I guess it's in my personal capacity. I just never
2 heard of a case where a driver was interviewed.
3 That's not to say it's never happened ever. But I
4 don't think that has ever been our general
5 practice.

6 BY ATTORNEY PETERS:

7 Q. Have you looked back at other drivers who were
8 onboarded in 2014 to figure out what process they
9 went through in that year?

10 A. No.

11 Q. When did you first start working for Uber?

12 A. 2019.

13 Q. In preparation for this deposition, did you speak
14 with anybody who was involved with driver
15 onboarding in 2014?

16 A. I wasn't able to find anybody who was -- is still
17 with the company.

18 Q. In what region was Mr. Turay onboarded?

19 A. The U.S.

20 Q. Was it the Phoenix area?

21 A. Please hold.

22 Q. To be specific, I'm talking about when he was
23 actually onboarded.

24 A. I think yes -- I think so. I'm trying to keep all
25 the facts straight here. I think it was in the

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1 same place.

2 Q. You know that at that time in 2014 screening and
3 onboarding and were conducted in a regionally
4 controlled manner and had not yet been centralized
5 the way that it currently is, right?

6 A. What do you mean by that?

7 Q. Are you aware in 2014, which was the early days of
8 Uber's peer-to-peer or rideshare, whatever you want
9 to call it, the regional teams managed onboarding
10 and screening, it was not the same in each region?

11 ATTORNEY PREMO-HOPKINS: Object to form.

12 BY ATTORNEY PETERS:

13 Q. Do you know that?

14 A. Where did you get that information?

15 Q. I'm not the witness. I have read a lot of things
16 that have indicated that.

17 ATTORNEY PREMO-HOPKINS: You are reading
18 facts to the witness and asking her to affirm
19 whether they're true or not. She can answer to the
20 best of her knowledge.

21 BY ATTORNEY PETERS:

22 Q. I'm not reading anything. I'm asking are you aware
23 that it was more of a regional process for
24 onboarding and screening in 2014? If you are not
25 aware, that's fine.

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1 ATTORNEY PREMO-HOPKINS: That question
2 she already answered.

3 ATTORNEY PETERS: No, she hasn't. Could
4 you please, Counsel, please stop.

5 A. Yes. It was done regionally. That's not to say it
6 was different everywhere.

7 BY ATTORNEY PETERS:

8 Q. Did you speak with anybody who was familiar with
9 the Phoenix region process for onboarding in 2014?

10 A. No. I would like to add context. He never took
11 any trips on this account.

12 Q. Right.

13 A. There is no reason to further investigate because
14 the account actually was never active fully and he
15 never took any trips here.

16 Q. Right. He was rejected as a driver in 2014 under
17 this account, right?

18 A. Because he failed to meet the licensing history
19 which is clearly noted here.

20 Q. How do you know that is the reason for the
21 rejection?

22 A. Because there is an account note that says it. I'm
23 not sure what else to say there.

24 ATTORNEY PETERS: That's a -- that's a
25 key document, Counsel, that we don't have.

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1 ATTORNEY PREMO-HOPKINS: What document?

2 ATTORNEY PETERS: Whatever document,
3 account note, the screenshot, the document that
4 says the reason for this rejection is actually a
5 failed background check, not what it looks like
6 from the documents that we had until yesterday,
7 pending interview, and then rejected. That's what
8 we did have.

9 Last night I get notes that say, oh,
10 that's actually due to a failed background check.
11 But we don't have a background check. We don't
12 have a failed background check. We don't have a
13 document that says this was a rejection due to
14 failed background check as opposed to maybe
15 something that went wrong in an interview. I'm
16 being told this without the documents to back it
17 up.

18 We don't need to fight about it, but I
19 am marking it. We have got to deal with -- I have
20 got to leave this open so we can figure out that
21 topic.

22 ATTORNEY PREMO-HOPKINS: Just for the
23 record, I think this is something that is very
24 easily solvable. Ms. Nilles has explained to you
25 the documentation issue around hirees as you asked

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1 a number of questions about that document and I
2 told you repeatedly that the document did not exist
3 with regard to HireEase' background check. And
4 Ms. Nilles has explained to you why that is the
5 case.

6 To the extent that there is going to be
7 a hang-up around whether or not that is actually
8 the account note that is in Uber's system, we can
9 figure out a way to solve that while Ms. Nilles is
10 here today.

11 BY ATTORNEY PETERS:

12 Q. Let's keep going. Mr. Turay, after being rejected,
13 it looks like he tried to apply one more time for
14 peer-to-peer September 13, 2016? Do you see that?
15 And then on that same date it looks like he
16 switched over to Uber Eats.

17 A. So he didn't apply, per se. He didn't go through,
18 like, the background check process. I would assume
19 he just reaccessed his account and changed flow
20 types to Uber Eats.

21 Q. Go ahead?

22 A. Because he doesn't actually go through a background
23 check on that account until December.

24 Q. And then after that date, everything with this
25 account that started in 2014 is all Uber Eats; is

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1 that right?

2 A. Yes. As I mentioned, he never took trips.

3 Actually, everything below this point is related to
4 the status changes on his linked account. So as
5 safety incidents came in or changes came in on that
6 account, agents were applying them to this account
7 even though he had never taken trips and was never
8 fully active on the Eats account. Yes, it was
9 always in the Eats flow.

10 Q. Got it. Then 2016 a background check was conducted
11 which he failed for insufficient driving history,
12 right?

13 A. Yes.

14 Q. Was that the same across the two account? Like,
15 was that a background check really done for the
16 other account or was that one really done for this
17 Eats account?

18 A. It's a little confusing, honestly, what happened at
19 this time related to background checks. From what
20 I can tell -- let me just reference the actual
21 documents, the background checks. Please hold.

22 So I think that what happened is he --
23 what I think happened is based on these dates,
24 because the December 7, 2016, corresponds with
25 December 7th, 2016, of the opening of his official

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1 account, his primary account that he actually uses.

2 I did some investigations asking my team
3 and other folks about what the process would have
4 been at this time, and they explained to me that it
5 would have been extremely cumbersome to switch back
6 to P-to-P on an account and they would have had to
7 call support and sit on the phone for hours.

8 It looks like he abandons this account
9 and decides he is not going to further pursue Eats,
10 creates the new account, and the background check
11 is conducted on 12/7/16, likely for that -- let me
12 just look. Hold on.

13 Q. Can you say what you're looking at right now?

14 A. Yeah. I'm looking at the actual Checkr background
15 check results. I'm referencing the dates of those
16 and the status and flow to make sure I have the
17 timeline correct.

18 So I think what happens -- here is what
19 I think happened. In his Uber Eats account, the
20 one you have on the screen, he comes back to this
21 account and says, okay, I'm going to, you know,
22 work -- I'm going to work on Uber.

23 They run a background check on that
24 account, on that Eats account. The report comes
25 back and it's the one that says suspended where it

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1 says insufficient licensing history and that was
2 conducted on December 7, 2016, at 6:56 p.m. They
3 said, you don't have enough licensing history.

4 He then goes back to Checkr to give his
5 driver's license history, and is, I believe, rerun
6 for this other P-to-P account that starts on 7692,
7 and proves to Checkr by providing an older license
8 that he has enough driving history, because the
9 original Checkr background check says first issue
10 date 2016, and then the next one says first issue
11 date 2008.

12 I would assume he went back to them with
13 an older license and said, actually, I do have
14 enough licensing history and here it is. That's
15 when he then gets active on his P-to-P account and
16 does not ever attempt to get back on the Uber Eats
17 account.

18 Q. Right. So you did provide some helpful context of
19 putting together a bunch of pieces. I'm a little
20 more narrow right now. My question is just
21 June 17, 2018, when Mr. Turay and this Uber Eats
22 account that is on the screen, when he applies and
23 is rejected for failing the background check, is
24 that an action that -- that failure of that
25 background check, is that unique to this account,

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1 the Uber Eats account?

2 A. June 17, 2018? So we're skipping ahead in time?

3 Q. Yes. So June -- June 17, 2018. I don't see an
4 actual background check associated with that status
5 change.

6 You don't see that status change, that
7 rejection based on the background check on the
8 other status and flow log, right? For his other
9 account? It's only on this one?

10 A. Right. And I don't see any associated actual
11 background check with that.

12 ATTORNEY PETERS: Let's go to Tab 8,
13 please. This will be Exhibit 1855, report.

14 MARKED FOR IDENTIFICATION:

15 DEPOSITION EXHIBIT 1855

16 Metadata

17 2:38 p.m.

18 MARKED FOR IDENTIFICATION:

19 DEPOSITION EXHIBIT 1856

20 Spreadsheet

21 2:38 p.m.

22 BY ATTORNEY PETERS:

23 Q. It says report for Hassan Turay, suspended. This
24 is a background check that was conducted
25 December 7th, 2016, which is the date we just saw

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1 that he had applied again.

2 A. Yes.

3 Q. And then if we look at Page 3 it says license
4 issued October 25, 2016.

5 Do you see that?

6 A. I see that, yes.

7 Q. So this was -- he failed this driver's -- driving
8 history check because his driver's license was
9 issued October 25, 2016, and he is applying
10 December of 2016, and that's less than a year,
11 right?

12 A. Yes. Then he goes back to Checkr and gives them a
13 new license.

14 Q. Let's do it in bite-size pieces. One question at a
15 time. I'm going to object as nonresponsive.

16 My question is, the reason that at this
17 time, December 2016, he failed this driving history
18 check is because the driving history check
19 conducted by Checkr in December of 2016 showed that
20 he had only had a license since October of 2016,
21 which is less than a year, right?

22 A. Correct.

23 Q. Then he passes --

24 ATTORNEY PETERS: We can take that down.
25 Let's go to his other account, Tab 152.

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1 BY ATTORNEY PETERS:

2 Q. Is this the status and flow log for the other Turay
3 account, the one that started in 2016 and has an
4 UUID that starts with 7692?

5 A. Yes.

6 ATTORNEY PREMO-HOPKINS: For the record,
7 can you scroll down, just because we're only
8 looking at your electronic copy. I couldn't see
9 the bottom because of the -- where I have my Zoom
10 images.

11 BY ATTORNEY PETERS:

12 Q. Mr. Turay was activated as a peer-to-peer driver
13 for the first time on what date?

14 A. 12/23/2016.

15 Q. We were just looking at a background check -- a
16 driving history check that he had failed in
17 December of 2016. What was it that caused him to
18 pass -- or to be activated after he had failed in
19 the background check?

20 A. He went back to Checkr and gave him -- gave them
21 his driver's license that showed a longer history.

22 Q. What are you basing that on?

23 A. My team looked in the Checkr portal and said that
24 he successfully confirmed their current or previous
25 driver's license on December 22, 2016, at 9:13 a.m.

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1 I think that is another document, if needed, we
2 could produce for you.

3 Q. It's needed. There are a lot of things we could
4 probably put on the record that are more attorney
5 issues later on. I'm just going to save them and
6 kind of keep going.

7 A. My team investigated this, looked at the Checkr
8 portal. And it says in the Checkr portal that he
9 successfully confirmed his license on December 22,
10 2016.

11 Q. That's by -- you say by coming to a Green Light hub
12 as opposed to uploading something?

13 A. No. He would have probably directly communicated
14 with Checkr because in the Checkr portal, that's
15 where we get that information.

16 So when a background check is done,
17 there is, like, a pre-adverse action letter sent
18 that says hey, you may not meet these criteria. If
19 you want to dispute anything on this consumer
20 report, let us know, and then they have a direct
21 communication with them to correct any information.

22 Q. Have you seen a copy of the driver's license that
23 he supposedly gave to Checkr?

24 A. I honestly can't remember because I looked at so
25 many documents. I think I might have, but I'm not

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1 sure.

2 ATTORNEY PETERS: Counsel, that's
3 another thing we don't have, is any driver's
4 license showing that he was licensed. In fact, I'm
5 fairly confident it doesn't exist. If it does, we
6 want to have it.

7 ATTORNEY PREMO-HOPKINS: All right.
8 We'll check on that for you.

9 ATTORNEY PETERS: Thank you.
10 Let's go to Tab 7. That will be
11 Exhibit 1857.

12 MARKED FOR IDENTIFICATION:
13 DEPOSITION EXHIBIT 1857
14 Metadata
15 2:43 p.m.

16 BY ATTORNEY PETERS:

17 Q. This is a report for Mr. Turay, you can see at the
18 top?

19 ATTORNEY PETERS: Let's go to the next
20 page, please.

21 BY ATTORNEY PETERS:

22 Q. And this is a report, you can see at the bottom,
23 that was created December 19, 2016, completed
24 December 22, 2016.

25 Do you see that?

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1 A. Yes.

2 ATTORNEY PETERS: Let's go to the next
3 page, please.

4 BY ATTORNEY PETERS:

5 Q. The motor vehicle record section states that there
6 is a driver's license issue date of October 25,
7 2016, the same as we saw before. There's a first
8 issue date given of January 31st, 2008.

9 Do you see that?

10 A. Yes.

11 Q. Again, it sounds like you can't tell me if that is
12 based on a date that is actually on a driver's
13 license versus something else that caused Checkr to
14 believe -- strike that.

15 What is that based on, saying that
16 that's the first issue date?

17 A. That's what I told you. He would have communicated
18 directly with Checkr. I have no reason to believe
19 Checkr would have falsified this information. He
20 would have communicated with Checkr, provided his
21 true licensing history, and then they approved and
22 cleared the report and sent it to us, because he
23 was able to prove that he had longer licensing
24 histories.

25 Q. Does Uber allow Checkr to base licensing history on

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1 any information other than actually being shown a
2 copy of a driver's license?

3 A. The licensing history, I believe, is actually done
4 through the motor vehicle -- through the DMV. I'm
5 not sure exactly what happened in this process,
6 again, because it would have been the consumer and
7 the consumer reporting agency. They get the actual
8 records from the DMV.

9 Q. Does Uber as part of its instructions to Checkr,
10 does it allow Uber to rely on information other
11 than the DMV history for purposes of determining
12 the first issue date for a driver's license?

13 A. No, not to my knowledge.

14 Q. You are saying that you believe this first issue
15 date is not actually based on the DMV record; is
16 that right?

17 A. That's not what I said. I said it would have been
18 a conversation between Mr. Turay and Checkr to
19 resolve the question of how long was his licensing
20 history. He would have had to prove or they would
21 have -- I don't know what they discussed. All I
22 know is Checkr got the information it needed to say
23 that he had a driving history from 2008 to the
24 present.

25 Q. That was not what whatever Checkr relied on to get

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1 that date of 2008, it wasn't the DMV history,
2 right?

3 A. It would have to be the DMV history. That's where
4 they get information.

5 Q. I thought you said it was based on a direct
6 conversation with Mr. Turay.

7 A. I'm saying that's how they would have resolved the
8 dispute about what was on his consumer report. I
9 wasn't privy to that information. I don't think
10 they would just take his word for it. I don't know
11 what information he gave them to say, hey, look
12 again, go back to the DMV, because actually this is
13 wrong. That's how I imagine the conversation went.

14 Q. As part of your preparation for this deposition did
15 you speak with anybody at Checkr by any means, by
16 verbal or email or anything, to try to find out
17 what was actually underlying this first issue date
18 of 2008?

19 A. I did not, because this is an active litigation. I
20 did not reach out.

21 Q. Does Uber within the portal that it has with Checkr
22 have the ability to check on anything to see more
23 information, whatever underlying notes, for
24 example, Checkr has?

25 ATTORNEY PREMO-HOPKINS: With regard to

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1 this issue, first issue date?

2 ATTORNEY PETERS: Sure.

3 A. I think it would have to be a thing we were going
4 to follow up and get you from the Checkr portal,
5 because I don't know exactly what it looks like. I
6 mean, I know what the Checkr portal looks like, but
7 I don't know where that note was written.

8 ATTORNEY PREMO-HOPKINS: I'm sorry. I
9 just think we're mixing things. Okay.

10 ATTORNEY PETERS: I don't know what you
11 want me to do, Mark.

12 ATTORNEY PREMO-HOPKINS: I'm done
13 talking. I'm done talking.

14 BY ATTORNEY PETERS:

15 Q. Have you clicked within Checkr portal to try to
16 find all the information that is available about
17 this determination, if that's what it is, that
18 Mr. Turay was licensed in 2008?

19 A. I instructed my team to do so.

20 Q. What did they find?

21 A. It's what I have already said to you and what's in
22 my 30(b)(6) notice. Checkr portal: Hassan
23 successfully confirmed a current or previous
24 driver's license on December 22, 2016, at 9:13 a.m.
25 It's in my 30(b)(6) notes. In that document.

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1 Q. Right. I think what is getting confusing is you're
2 saying that Checkr must have actually gotten this
3 information from the DMV. Where are you getting
4 that from, that it was from the DMV, that they
5 confirmed the 2008 issue date?

6 A. Because Checkr is a consumer reporting agency and
7 under the law, they are required to provide
8 complete and accurate information. So they would
9 have had to do their own investigation. But if you
10 want to know further details on that, you would
11 have to ask Checkr.

12 They can only publish a consumer report
13 with accurate information. For them to put it on
14 here, I don't believe they would have just taken
15 his word for it. They would have to verify it
16 somehow, but you would need to ask Checkr.

17 Q. Are you aware that Mr. Turay testified at
18 deposition under oath that he immigrated to the
19 United States in 2013?

20 A. I'm not aware, no.

21 Q. Does Uber allow -- as part of Uber's process when
22 it requires at least a year of driving history, is
23 that country specific or is it any driver's license
24 in any country?

25 A. It's country specific. But, again, since he

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1 immigrated in 2013, he would have been way beyond
2 that anyway.

3 Q. You don't know that he got a driver's license in
4 2013 or 2014 or 2015, right?

5 A. Presumably no, but going off this motor vehicle
6 record, which is our source of truth, it says
7 January 31st, 2008, and I have no reason to
8 discredit that.

9 Q. Do you think people can get driver's licenses in a
10 country they have not moved to yet?

11 ATTORNEY PREMO-HOPKINS: Object to form.

12 A. I don't think I was insinuating that, no.

13 BY ATTORNEY PETERS:

14 Q. Have you seen any information to suggest that
15 Mr. Turay obtained a driver's license any time
16 between 2013 up until October of 2016?

17 A. I don't remember if I -- which of his driver's
18 license I've looked at.

19 Q. He first became an active --

20 ATTORNEY PETERS: We can take that down.

21 BY ATTORNEY PETERS:

22 Q. He first became an active driver December 23rd,
23 2016. Did he remain active after that date?

24 A. Since when, since December 23rd, 2016 -- well, then
25 he goes through -- over the course of the account's

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1 life cycle, different changes, document uploads and
2 stuff.

3 Q. Was he ever actually waitlisted or deactivated
4 where it wasn't just for a document upload or
5 something like that before the subject incident?

6 A. If it wasn't related to a document upload, that's a
7 question for Greg Brown.

8 Q. Okay. Let's talk about Uber's what it calls
9 multilevel safety screening of Mr. Turay. The
10 entirety of its screening process for Mr. Turay was
11 to get his Social Security, date of birth, and name
12 from him, to have him upload his driver's license,
13 registration, insurance, and profile photo, to
14 check his driving history and check his criminal
15 background, both of the latter pieces through
16 Checkr, right?

17 A. Yes.

18 Q. The driving history check that Uber did when it
19 onboarded him was done within the same -- it was
20 started and completed within the same minute,
21 right? That's Exhibit 1855, which we looked at.

22 A. Which one is that? Sorry. Let me finish this.
23 1855. You are talking about this insufficient
24 driving history one?

25 Q. Right.

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1 A. Yes, it appears to be.

2 ATTORNEY PETERS: We can take that back
3 down. Thank you, Vince.

4 BY ATTORNEY PETERS:

5 Q. The criminal background check was just focusing on
6 the criminal part of it, costs Uber between \$7 to
7 \$14, depending on whether they got a bulk rate for
8 it, right?

9 A. Yes.

10 Q. The whole screening process costs approximately
11 \$30, give or take, right?

12 A. Yes, that's correct.

13 Q. The entirety of the paperwork that was generated
14 from the criminal background check and driving
15 history check are the two documents that are --
16 that we have looked at the Checkr driving history
17 check and the Checkr criminal history check, right?

18 A. Yes.

19 Q. Uber did not conduct a criminal background check in
20 Sierra Leone, correct?

21 A. Correct.

22 Q. Did not conduct one in Guinea, right?

23 A. Correct.

24 Q. It did not conduct one in Ghana, right?

25 A. Right. We only conducted one in the United States.

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1 Q. Uber did not know how long Mr. Turay had been
2 living in the United States when it did the
3 background check, right?

4 A. Correct.

5 Q. Did not make any effort to try to find out how long
6 he had been in the U.S., right?

7 A. We don't have any processes that look for how long
8 someone has been in the U.S. beyond the Social
9 Security number.

10 Q. In this instance for Mr. Turay, Uber did not do
11 anything else -- do anything to try to find out how
12 long he had been in the United States, right?

13 A. Right.

14 Q. As far as Uber knew, he may have only been in the
15 U.S. -- I guess there's the 2008, whatever that is.
16 If his driver's license was actually issued in
17 October of 2016 and there wasn't a prior driver's
18 license, then that would mean that at the time Uber
19 onboarded him in December of 2016, he had only been
20 in the U.S. for a few months, right?

21 ATTORNEY PREMO-HOPKINS: Object to form.

22 A. You just told me that he testified he arrived in
23 2013.

24 BY ATTORNEY PETERS:

25 Q. Right. But as far as the information available to

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1 Uber, if it's looking at his driver's license that
2 he provided to Uber, there is nothing to indicate
3 he had been there longer than a few months, right?

4 A. We're not looking at his driver's license. We were
5 looking at the report from Checkr which confirms
6 his licensing history. That's how we met that
7 requirement.

8 Q. Uber's criminal background check is supposed to,
9 it's designed to try to find out whether Uber's
10 drivers have ever committed rape, murder, or other
11 serious violent crimes, right?

12 ATTORNEY PREMO-HOPKINS: Object to form.
13 Scope.

14 A. Within that country.

15 BY ATTORNEY PETERS:

16 Q. Isn't it important to Uber in onboarding Mr. Turay
17 to know whether he had ever committed rape, murder,
18 or a serious violent crime in any country?

19 ATTORNEY PREMO-HOPKINS: Object to form.

20 A. That's incredibly difficult to ascertain and there
21 are wildly different standards for background
22 checks across the world and many places don't even
23 have them. In the case of Africa, specifically,
24 you have to go in person to obtain a physical
25 document, a police report that's, by the way,

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1 easily falsified and would have to present it in
2 person, not digitally. It's not possible. No, we
3 don't do that.

4 ATTORNEY PETERS: Object as
5 nonresponsive.

6 BY ATTORNEY PETERS:

7 Q. My question is, isn't it important to Uber when
8 it's onboarding or screening Mr. Turay to know
9 whether he had ever communicated rape or murder or
10 a serious violent crime in another country? Isn't
11 that something important to Uber?

12 ATTORNEY PREMO-HOPKINS: Object to form,
13 scope.

14 A. I don't know if I can comment on what's important.
15 I can tell you what's feasible and realistic.

16 BY ATTORNEY PETERS:

17 Q. As a person speaking for Uber about its screening
18 of Mr. Turay, you would agree that that is
19 something that would be relevant to whether he's
20 fit as an Uber driver is whether he had ever
21 committed rape, murder, or another serious violent
22 crime in any country, right?

23 ATTORNEY PREMO-HOPKINS: Object to form.

24 A. To the extent that it would be possible to get that
25 information in a hypothetical sense, yes, but I

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1 don't think that's operationally possible across
2 the world.

3 BY ATTORNEY PETERS:

4 Q. Did Uber do anything to make up for the fact that
5 it couldn't check Mr. Turay's background in the
6 places -- other places he lived as an adult such as
7 doing psychometric testing?

8 A. No.

9 ATTORNEY PREMO-HOPKINS: Object to form.

10 A. No. We don't have any evidence that the
11 psychometric testing that we did test was
12 effective.

13 ATTORNEY PETERS: Object to everything
14 after "no" as nonresponsive.

15 BY ATTORNEY PETERS:

16 Q. Mr. Turay was born in 1974, right?

17 A. I don't have his driver's license in front of me.
18 Yes, I have his background check. Yes, I can see
19 that.

20 Q. That would mean by the time he was onboarded by
21 Uber in 2014, he was 42 years old, give or take,
22 right?

23 A. Sure.

24 Q. So a background check that only looks at a few
25 years of his life would be missing the majority of

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1 his adult life, right?

2 ATTORNEY PREMO-HOPKINS: Object to form.

3 A. Yes, necessarily.

4 BY ATTORNEY PETERS:

5 Q. Did Uber feel that onboarding a driver who had been
6 living most of his life outside the U.S. without
7 checking his background outside the U.S. was
8 putting a rider like Ms. Dean in danger?

9 ATTORNEY PREMO-HOPKINS: Object to form.

10 Scope.

11 A. Uber did what is possible to screen Mr. Turay.

12 BY ATTORNEY PETERS:

13 Q. Did Uber recognize that onboarding a driver who had
14 been living most of his life outside the U.S.
15 without checking his background outside the U.S.
16 was putting riders like Ms. Dean in danger?

17 ATTORNEY PREMO-HOPKINS: Object to form.

18 A. I think that's implying that we could easily get a
19 background check for countries like Sierra Leone
20 and that is just not possible.

21 BY ATTORNEY PETERS:

22 Q. If you could just answer the question, not what you
23 think I'm implying. I'm not trying to imply. I'm
24 not trying to go into feasibility.

25 My question is: Did Uber feel that

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1 onboarding a driver who had been living most of his
2 life outside the U.S. without checking his
3 background outside the U.S. was putting riders like
4 Ms. Dean in danger?

5 ATTORNEY PREMO-HOPKINS: Object to form.

6 A. I don't think Uber, as a company, can feel. I'm
7 telling you what is operationally possible and what
8 was considered by the safety team.

9 BY ATTORNEY PETERS:

10 Q. Did Uber recognize that as a risk?

11 A. Yes.

12 Q. Was that something Uber tried to address for
13 drivers like Mr. Turay where it wasn't conducting a
14 background check for the places he spent most of
15 his life living?

16 A. We attempted to do psychometric testing on other
17 regions and it didn't bear out that it provided a
18 meaningful safety benefit, as I have already
19 testified.

20 Q. Did Uber ask Mr. Turay whether he had any criminal
21 background?

22 A. No.

23 Q. Did it --

24 A. I said no beyond the background check that Checkr
25 conducted.

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1 Q. I'm just asking about whether Uber actually asked
2 Mr. Turay whether he had any criminal background
3 anywhere.

4 A. Did we ask him to self-certify if he had a criminal
5 background, no.

6 Q. Did it ask for a list of prior employers?

7 A. No.

8 Q. Did it ask for any references at all?

9 A. No, we don't ask for references.

10 Q. Did it ask for a resume?

11 A. No.

12 Q. Did it ask for fingerprints?

13 A. No.

14 Q. Did it -- did Uber interview him in any way, shape,
15 or form?

16 A. Not to my knowledge.

17 Q. Did it do any research of its own like Google or
18 social media?

19 A. No.

20 Q. There is a looks like a HireRight report for 2024
21 for Mr. Turay. Have you seen that?

22 A. Yes.

23 Q. Why is there a HireRight report for 2024 when it
24 looks like he was rejected November 17, 2023?

25 A. Yeah. I think we continued to order the report.

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1 He was doing Uber health trips which do a separate
2 check. It's not a background check in the same way
3 that Checkr does. It's like looking to see if
4 there are any conflicts of interest.

5 I'm trying to remember what it is. It's
6 something to do with people who are paid by the
7 government. It's to financially deconflict so
8 we're not paying -- I would need to reference what
9 it is exactly, a check to make sure there's not a
10 conflict of interest for healthcare providers.

11 So we continued to, for whatever reason,
12 order the report on him despite the fact he was not
13 taking trips.

14 Q. Is it true he was banned and rejected as of
15 November 17, 2023, and did not have any -- took no
16 trips after that date?

17 A. I think that's a question for Greg Brown.

18 Q. Okay. With respect to the HireRight report, does
19 that reflect any reapplication by Mr. Turay?

20 A. No.

21 Q. You think it's just something that was done as an
22 automated matter; is that right?

23 A. Yes.

24 Q. Did the background check that Uber conducted in the
25 U.S. convince Uber that Mr. Turay would be a safe

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1 driver?

2 ATTORNEY PREMO-HOPKINS: Object to form.

3 Vague.

4 A. I don't think you can ever be convinced that
5 someone is going to be safe.

6 BY ATTORNEY PETERS:

7 Q. Did Uber feel comfortable based on his \$7 or \$13,
8 \$14 background check that it would be safe to send
9 Mr. Turay to pick up solo women riders late at
10 night like Ms. Dean?

11 A. I don't think Uber can feel comfortable one way or
12 the other. I think we conducted the background
13 check that we have discussed at length.

14 Q. Did Uber feel comfortable -- I'm sorry.

15 Did Uber have any concerns as a company
16 about -- based on a background check like this one
17 conducted in a country where the driver had not
18 been very long living, sending that driver to pick
19 up solo women riders late at night?

20 ATTORNEY PREMO-HOPKINS: Objection to
21 form.

22 A. Again, I don't think Uber as a company can feel
23 concerned. I think I have given the explanations
24 about how the process works and potential risks and
25 limitations we have talked about and discussed.

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1 BY ATTORNEY PETERS:

2 Q. Was there any notation made on Mr. Turay's account
3 at the time of screening based on the
4 incompleteness of the background check that would
5 flag him as being at any higher risk?

6 ATTORNEY PREMO-HOPKINS: Object to form.

7 A. The background check was as complete as any other
8 background check conducted by Checkr.

9 BY ATTORNEY PETERS:

10 Q. Are you saying all of Checkr's background checks
11 are for people who haven't lived in the place where
12 the background check was being done for very long?

13 ATTORNEY PREMO-HOPKINS: Object to form.

14 A. No. I'm saying Checkr would have followed the same
15 process they follow for all drivers in the
16 United States. I'm saying it would have been the
17 same process in terms of completeness.

18 BY ATTORNEY PETERS:

19 Q. Did Uber flag Mr. Turay's account as being one that
20 represented extra risk based on the fact that its
21 screening consisted of a background check that was
22 conducted in a place where Mr. Turay had not lived
23 for very long?

24 ATTORNEY PREMO-HOPKINS: Object to form.

25 A. Are you suggesting because he was an immigrant, we

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1 should have flagged him for extra risk?

2 BY ATTORNEY PETERS:

3 Q. I'm not at all suggesting that.

4 Because Uber did not conduct a
5 background check in the place where he had actually
6 been living for most of his adult life, did Uber
7 flag him as extra risk?

8 ATTORNEY PREMO-HOPKINS: Object to form.

9 A. I don't think there is data that would suggest that
10 immigrants are extra risky.

11 BY ATTORNEY PETERS:

12 Q. What about Ms. Lebaron when her driver was
13 onboarded in Columbia, was he flagged as extra
14 risky because a background check was only being
15 conducted in a country where he had not lived very
16 long?

17 ATTORNEY PREMO-HOPKINS: Object to form.

18 A. I don't think the fact that somebody immigrates to
19 a country necessarily makes them extra risky.

20 BY ATTORNEY PETERS:

21 Q. Does the fact that Uber does not conduct a
22 background check in a place where a driver has
23 lived make them risky?

24 ATTORNEY PREMO-HOPKINS: Object to form.

25 A. I don't have data to support that. But it's a

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1 possible risk factor, yes.

2 BY ATTORNEY PETERS:

3 Q. Did Uber do anything to flag that on Mr. Turay's
4 account?

5 ATTORNEY PREMO-HOPKINS: Object to form.

6 A. To flag what?

7 BY ATTORNEY PETERS:

8 Q. There was a potential risk factor that Uber had not
9 conducted a background check in the places where he
10 had been living?

11 A. No.

12 Q. I'm going to shift to another case if we want to
13 take a break?

14 A. Sure.

15 ATTORNEY PREMO-HOPKINS: Why don't we
16 take a quick lunch break, like, 20 minutes, and we
17 can come back at the bottom of the hour.

18 ATTORNEY PETERS: You said how many
19 minutes?

20 ATTORNEY PREMO-HOPKINS: 20 to on my
21 watch, come back at the bottom of the hour, break
22 for lunch.

23 ATTORNEY PETERS: 12:30?

24 ATTORNEY PREMO-HOPKINS: Yes.

25 VIDEO TECHNICIAN: I'll take us off the